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ADAPT in the land of Olmstead

On October 10, 2009, ADAPT came to Atlanta, Georgia, home of our nation's greatest symbol of non-violent direct action, Dr. Martin Luther King, Jr., for a week of disability rights advocacy. We came to mark the 10th anniversary of the Supreme Court's *Olmstead Decision* which began in Georgia when two women with disabilities decided to fight for their right to live in their own homes, Lois Curtis and Elaine Wilson knew they didn't belong in a state institution. The State of Georgia knew it too, but said they didn't have a "slot" available for the home or community based setting. So, Curtis and Wilson sued Medicaid Director Tommy Olmstead and the state of Georgia to win their freedom. The case went all the way to the U.S. Supreme Court where the Justices ruled on June 22, 1999, that that institutional isolation of a person with a disability is a form of discrimination under Title II of the Americans with Disabilities Act (ADA). The Court said that states must "administer services, programs, and activities in the most integrated setting appropriate to the needs of qualified individuals with disabilities", which meant the plaintiffs had a right to live in their own homes!

Lois Curtis and Elaine Wilson won their freedom, but a decade later Georgia still hadn't complied with the *Olmstead Decision*. Just two days before ADAPT's arrival the Atlanta Journal-Constitution reported that, "Ten years after *Olmstead*, Georgia is woefully out of compliance with the Supreme Court's mandate. ..."

"In July 2008, the state settled complaints based on *Olmstead* with a federal Office for Civil Rights. The state promised to marshal necessary resources to move all individuals with developmental and mental health disabilities, who could live in the community with supports, out of state hospitals over a five-year period. The governor was required to appoint an *Olmstead* coordinator and planning committee, which was to create an *Olmstead* plan by February 2009."

"As of today, an *Olmstead* plan has not been adopted."

To borrow the words of Dr. King, Georgia had handed her citizens with disabilities a "bad check which has come back marked 'insufficient funds.'" Now ADAPT was in town to see that Georgia's *Olmstead* debt was "paid in full"

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*Freedom is never voluntarily given by the oppressor;
it must be demanded by the oppressed.
- Martin Luther King, Jr., "Letter from
Birmingham Jail, " 04/14/63*

ADAPT makes a pilgrimage to the King Center

ADAPT took full advantage of the temperate Fall weather on Sunday, October 11, 2009 and marched from Centennial Park to the Martin Luther King, Jr. Center for Nonviolent Social Change. The King Center was the ideal place to begin our week of advocacy; being the embodiment of the philosophy we share with Dr. King of using nonviolent direct action to end social injustice.



The ADAPT rally in the courtyard by the rose garden at the King Center.

At the rally in the courtyard by the rose garden in front of the Martin Luther King, Jr. National Historical Site we heard from members of Georgia ADAPT and other independent living advocates about their decade-long struggle to get their state to comply with the *Olmstead Decision*.

We heard from Sue Jamieson, attorney in the *Olmstead* case, who talked about the history of the case and the need to continue to fight for "our civil rights" in Georgia and across the nation.

We met Georgians who had fought their own personal battles for freedom, like Delores Bates and Bodie Watkins. ADAPT had the privilege of helping Delores, who had just moved into her own home, celebrate her first birthday outside of an institution in over 40 years. Bodie told us how great it felt just to be able to be outside with friends and how he hoped to be moving out of the nursing facility soon. Sadly, just a few short months later Bodie's life would end with that dream unfulfilled. He asked for "permission" to die outside the institution, but the state ruled he was too "unhealthy" to die a free man.

Lois Curtis, the surviving plaintiff in the *Olmstead* case was there. She told how great it was to be living free in Atlanta and lead us in a chant of, "Free our brothers, free our sisters, free our people now!"

Following some inspiring music performed by Johnny Crescendo we assembled to march back to Centennial Park.

In stark contrast to the beautiful rose garden in front of the King Center a barbed wire fence separated us from the Parkview Manor Nursing Facility next door. Having one symbol of liberty juxtaposed next to that symbol of oppression reminded us all of how easily people with disabilities in this country can lose their

freedom because of the institutional bias in long term care. As we filed out of the King Center and past Parkview Manor it reminded us all of why we were in Atlanta – to end the institutional bias and FREE OUR PEOPLE!

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A barbed wire fence separated us from the institution next to the King Center.

ADAPT celebrates Columbus Day at the state capitol

Monday morning, October 12, 2009 ADAPT awoke to torrential rains. As the group began to assemble, leadership scouted the situation and found the streets flooded to the point that the electrical systems in people's power wheelchairs and scooter would have been shorted out if we'd ventured outside.

That meant it would be impossible to make it to our original goal which had been the home of Governor Sonny Perdue. Of course that only meant that we would have to proceed with "Plan B", so once the waters had subsided to a manageable level ADAPT marched out of the Omni Hotel to the Georgia State Capitol.

Today was Columbus Day which meant most state offices were closed and the capitol security seemed ill prepared to greet the 400 to 500 waterlogged visitors who suddenly came streaming through the doors that



ADAPT activists wait for the rain to subside.

morning. ADAPT members flowed down the now wet and slippery halls of the capitol like the water in the street outside. Many of the demonstrators made it all the way upstairs to the Governor's office and by the time security reacted and blocked the entrance to the capitol only a fraction of the over 400 activists remained outside.

ADAPT delivered the following demands to the governor's staff when they arrived:

- Meet with ADAPT;
- Appoint an Olmstead "Czar" to divert from nursing homes people who wish to remain in the community, and transition others already in nursing facilities back into the community;
- Adequately fund community-based services so Georgia complies with Olmstead and the ADA;
- Freeze institutional funding at current levels and work with advocates to rebalance long-term services and supports funding so the majority is spent on home and community services;
- Modernize Georgia's Nurse Practice Act to allow trained attendants to perform health maintenance tasks;
- Fund community organizations to identify & assist people in institutions to return to community;
- Issue an Executive Order requiring the Division of Aging to keep implementing the Money Follows the Person Program (MFP), and remove the "cost share" from Community Care Services Program services; and



Rain soaked ADAPTers fill the entrance to the Capitol.

- Demonstrate leadership by publicly urging other southern state governors to develop and implement Olmstead plans and policies in accordance with the ADA and the Olmstead decision.

Following several hours of negotiations ADAPT secured a meeting with the governor's chief of staff for the next morning. Satisfied with the promise of a meeting on Tuesday morning the activists regrouped for a brief rally in the capitol courtyard and then marched back to the Omni to prepare for another day of grassroots advocacy.

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ADAPT gets a decidedly uncivil reception at the HHS Office of Civil Rights

As a small contingent of ADAPT leadership prepared for their meeting with the governor's staff on Tuesday morning, October 13, 2009, the rest of us headed to the Sam Nunn Federal Center and the Region 4 office of the U.S. Department of Health and Human Services (HHS) Office of Civil Rights (OCR) to demand better enforcement of the *Olmstead Decision*. The ADAPT demonstrators forced their way past security and had filled the lobby of the building by the time security blocked the entrance.

Very quickly the situation began to heat up as the "rent-a-cops" began tossing people back over the barricades at the entrance. As people continued to climb over the railing security personal began assaulting them with batons and tossing them around, but the demonstrators only offered passive resistance. It looked as if things might get out of hand when federal authorities arrived on the scene and began to defuse the situation. (See Kyle Nash's first-hand account below)

Meanwhile out in the courtyard the large group of several hundred demonstrators were chanting and making all kinds of noise in solidarity with our brothers and sisters inside the building, while the HHS OCR staff reviewed our demands.

ADAPT demanded that Region 4 HHS OCR:

- Announce its public support for S683 HR 1670, the Community Choice Act (CCA), legislation which would eliminate the institutional bias in the systems that provide long term services and supports;

- Establish a process that individuals who respond to MDS (Minimum Data Set) Q1a (which asks if any individual in a nursing home wants to move out) who want to return to the community are then referred to community based organizations that can provide the assistance and supports needed by the person to allow them to live in the most integrated setting;
- Modify the Medicaid rules to allow states to develop cross-disability 1915c waivers which would help break down the segregated funding system; and
- Develop rules, regulations and procedures that mandate consumer direction as a part of all home and community service programs, including Medicaid and Medicare Home Health;
- Develop accountability measures and benchmarks for how states must implement the Olmstead decision;
- Systematically review the level of state compliance with the Olmstead decision and publish all results of these reviews on the HHS website;
- Accept, review and resolve individual as well as systemic complaints against a state and withhold Medicaid payments to states for non-compliance with the Olmstead decision; and
- Exercise its authority to hold states accountable for implementing the Olmstead decision with referrals to the Department of Justice for legal action when necessary.

Around Noon, Roosevelt Freeman, the regional manager of the Region 4 HHS Office of Civil Rights, accompanied by an entourage of other HHS officials, emerged from the building to address the throng of ADAPT activists in the courtyard outside. Mr. Freeman indicated that he was willing to consider



The ADAPTers outside made certain they chanted loud enough for their brothers and sisters inside to hear.



ADAPT Organizer Mike Oxford listens as HHS Regional Manager Roosevelt Freeman addresses the crowd.

our demands and agreed to meet with the ADAPT leadership the next afternoon.

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Health and Human Services Imbrolio

By: Kyle Nash

The morning started off as most do on ADAPT trips, which for me means providing support services to one or more ADAPT members before getting ready myself, which meant that I was lining up with the group at about the same time as everyone else was getting ready to leave. As I approached the end of the line I was pulled aside by Bruce Darling who had a few questions for me. Spotting the bright orange Denver ADAPT sweater that I had been proudly sporting since our plane touched down in Atlanta he immediately asked, "What are you wearing under that?" The only response that I had for him was a proud "An ADAPT shirt," this clearly wasn't what he was looking for because he prompted me again, "And under that?" Beneath the ADAPT action shirt I had on a regular shirt, without any political associations which he deemed perfect for what he needed. After stripping down to it right there in the park he told me that I was going with him and a handful of people to HHS before the rest of the group.

So, after passing through security disguised as a marginally happy family, our group waited at the employee café inside Health and Human Services for our fellow ADAPTERs to arrive and weren't disappointed. Within ten minutes we began to hear a chorus of chanting activists declaring proudly that they wanted Freedom, and they wanted it now. Once the line of rain soaked ADAPT nation was beginning to file in the small group of us that accompanied Bruce sprang into action. Our job, which Darling explained to us as we walked to the building, was to open the emergency exit doors as the rest of the group began to flood the building. That way there wouldn't be a pile up at the narrow opening of the metal detectors and security guards at the main entrance. The only problem with the plan was that there were magnetic locks on the emergency exits, which meant that even the combined weight of three ADAPTERs wasn't going to budge the things open wide enough to accommodate a rag doll, yet alone a stream of wheelchairs.

Once we realized that our plan wasn't going to work the five of us ran to the front, with the lights and sirens blaring full strength from the emergency exits being breached, to see what could be done. When we got there I can honestly say that there wasn't one of us that wasn't appalled by the sight. There were security guards, many of whom were approximately the size of a small redwood tree, literally pushing wheelchairs



*A jumble of ADAPTers pour into the lobby.
Photo by Jeremiah O'Dell.*

back into each other; the sea of wheelchairs, however, pushed back. As ADAPT members flowed into the room the exact scenario that had been envisioned by leadership began to manifest because the limited capabilities of the accessible entrance were starting to slow down the flow of ADAPT members.

Then things began to get rough.

As the ADAPT members pushed forward the security guards started to get frustrated. As their frustration built several able bodied members of our party were thrown, without regard to the potential dangers of throwing people headfirst into a churning sea of moving metal and people, over the railing that was impeding our progress. After I was thrown over the railing I got a much better look at just how bad things were getting and the irony and injustice of the moment struck me. We were in a Federal Office of Civil Rights, complete with images of MLK Jr. in the background, and the security forces were behaving as if this was 1964

Mississippi instead of Atlanta Georgia in the year 2009. I saw one disabled woman being punched, literally hit with a closed fist, in the mouth by a security guard that might have been twice her size.

Jumping the barrier again, I was immediately taken to the ground by a guard and just as quickly an ADAPT member in a manual chair came to my aid and locked arms with me. The message to the security forces was clear, ADAPT wasn't moving. After being torn off of the ground I was hurdled, again, over the barricade and once again I crossed over. This time I'd crossed a line. No sooner than I was able to get my leg over the edge did a guard grab me and a set of handcuffs was placed on my left wrist and I was pulled to the ground. I realized that I was being arrested and attempted to cooperate, seeing the way that people were being treated I thought it was the wise move, and place my own arm behind my back. Once it was wrenched up in an uncomfortable position he slapped the other cuff on and I assumed that my part in the action was over; it wasn't.

I felt myself being lifted with one hand by the chain on the handcuffs and the other on the seat of my rapidly ripping jeans and carried across the room. As we neared the wall I had enough time to think, "Wow, that's a pretty shade of green," before I got to see it a little closer than I'd hoped for. Before I knew what was happening the guard had hurdled me headfirst into the marble, and I'd landed in a rough haze. There was a collective cry of outrage from my brothers and sisters. A cry that just as quickly was turned into a chant of, "Martin-Luther-King! Would-be-proud!"

As I sat against the wall, awaiting medical attention (which wasn't there for nearly an hour and a half,) I saw at least two more of my brothers and sisters be assaulted by the security forces, and heard the chants flow in and out of the hall. Once I'd been removed from the hall, and transferred fairly quickly to a holding cell with two other members being charged, we got word that all of our hard work was going to be rewarded; ADAPT had won its meeting.

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Kyle, seated on the floor, and fellow arrestees under the watchful eye of HHS security. Photo by Jeremiah O'Dell.

A Friendlier Reception at HUD

ADAPT celebrated the morning's victory with lunch in the courtyard outside the HHS building. Since the day was still young, ADAPT decided to pay a visit to the regional office for the US Department of Housing and Urban Development (HUD).

After a short march we arrived at the Regional HUD office. We barely got there when Tomacina Brown, Supervisory Operations Chief, and James Sutton, Fair Housing and Equal Opportunity Director for HUD Region 4, came down to the lobby to welcome us.

Since most of us couldn't fit into the lobby they came out front and addressed the crowd. They said they would recommend that HUD restart monthly meetings with ADAPT at the national level. They also agreed to have the regional office work with local housing authorities to make more vouchers available for people trying to move out of institutions, and said they were interested in having their office provide training to Georgia ADAPT members on fair housing compliance.

That evening, back at the hotel we found out that our folks who had met with the Governor's staff had secured an agreement from them to work with us on doing a better job of complying with *Olmstead*.

Three ADAPT victories all in one day! What could we do to top that on Wednesday?

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*The lobby was instantly packed upon ADAPT's arrival at HUD.
Photo by Jeremiah O'Dell.*



HUD staff welcome ADAPT.

ADAPT Educates CNN on CCA!

All week long ADAPT enjoyed the hospitality of the Omni Hotel, but there was always a nagging issue in the back of our minds. Even though we had been getting good press from sources like the Atlanta Journal-Constitution and all the local television stations, our host, CNN – who owns the Omni and who's national office are in the same building as the hotel – had been conspicuously absent. Back in August CNN medical correspondent Dr. Sanjay Gupta had mentioned the Community Choice Act (CCA) on his show. He didn't say anything about ADAPT and thought that CCA was a bill to make hospitals more wheelchair accessible and not about give folks with disabilities a choice to live free in their own homes. Soon after the broadcast, ADAPT sent a letter to Dr. Gupta thanking him for mentioning CCA on his show, explaining what CCA was really all about and to invite him to talk to us when we came to Atlanta, but we never got a response.

On Wednesday morning, October 14, 2009, ADAPT decided since we were in the neighborhood why not drop by and set CCN and Dr. Gupta straight. CNN security met our arrival with mouths agape, stunned by the sight of hundreds of ADAPT activists streaming through the doors of the lobby at CNN Center. As the demonstrators packed the lobby a distraught woman from CCN shouted, "You can't do this!" to which one jocular ADAPTer replied, "I think we just did." In short order David Vigilante, Vice-President of CNN's Legal Department descended for the offices above to see what all the commotion was about.

ADAPT promptly presented him with our demands:

- That Dr. Sanjay Gupta and his colleagues at CNN meet with ADAPT to learn about the institutional bias, the Community Choice Act (S683/HR1670), and consumer-directed/community-based alternatives to institutionalization;
- That Dr. Gupta correct his inaccurate report about the Community Choice Act;
- That Dr. Gupta and his colleagues at CNN acknowledge in their reporting that there are disability rights and civil rights issues embedded within healthcare issues;
- That Dr. Gupta and his colleagues at CNN report about the efforts of the disability community to eliminate the institutional bias and give people a REAL CHOICE in how and where they receive long term services and supports; and

- That Dr. Gupta and his colleagues at CNN report about community-based and consumer-directed models of assistance that are more cost-effective and give seniors and people with disabilities real control over their lives.



David Vigilante ponders the situation as he prepares to face ADAPT.



*Security blocks the entrance
AFTER all the demonstrators are inside CNN.*

the issue, but after reading our demands he had agreed to start airing footage of our action in Atlanta and to post information about ADAPT and CCA on the CNN Website. He went on to say that CNN was interested in doing a story on ADAPT and CCA to show how being able to live in your own home and have control over your own life was a civil rights as well as a health care issue for people with disabilities.

What a victory to finally get a shot at some significant coverage of our issues on a mainstream media outlet! ADAPT has been working for a long time to get the mainstream media to do some serious reporting on the institutional bias and the struggle of Americans with disabilities to have the right to live free! If CNN is true to their word it looks like that is finally going to happen.

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Hey HSS, We're Baaaack!

Once we had finished our business at CNN it was nearly time for our meeting with HHS. We all lined up outside the CNN Center and marched back to the Sam Nunn Federal Center for our afternoon meeting with the Region 4 HHS OCR staff. A phalanx of HHS security barred entrance to the building, fearing a repeat of the previous day's encounter, until our group of negotiators assured security personnel that they had an appointment to meet with HHS.

As the meeting preceded the ranks of the HHS security continued to grow as they milled about the courtyard, watching us with a jaundiced eye still weary of our intentions. The crowd chanted and sang as we patiently waited in the drizzle and rain. Eventually, our negotiating team emerged to report that HHS had agreed to work with us on better enforcement of *Olmstead* compliance in their region and to share the results of their investigations with the other HHS OCR regional offices. They agreed to work with us on systemic complaints so as to encompass as many people as possible who were being denied their freedom by non-compliance with the *Olmstead Decision*.

After a week of so many victories there wasn't any way the wet, gloomy weather could dampen our spirits! We marched back to the Omni in triumph ready for an evening of celebration before we returned home to carry on the struggle to FREE OUR PEOPLE!

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Postscript to Atlanta

Since ADAPT's visit to Atlanta, Georgia ADAPT has been very busy. Georgia ADAPT organizer Cheri Mitchell reports that they are working with the Governor's office to modernize the Nurse Practice Act. Mitchell says, "This is big because it will help reduce the cost of services thus allowing more people to qualify for Home and Community Based Services (HCBS)." Governor Perdue has appointed a new *Olmstead* Director and five self-advocates with physical disabilities have been recommended to the Governor for membership on the *Olmstead* Planning Committee. Advocates wanted to send a message to the Governor that *Olmstead* applies to all people with disabilities not just people with psychiatric and developmental disabilities.

Mitchell says that the "lack of affordable, accessible housing has been a major roadblock." To create more housing options for people with disabilities Georgia ADAPT worked with state housing folks and Money Follows the Person (MFP) staff to get the state's housing authorities to apply for housing choice vouchers.

Over 20 advocates participated in a HUD training session on HUD programs and how they relate to the disabled community. "We followed this meeting up with a training of our own with 30 new housing advocates" said Mitchell, and "we continue to be involved with Money Follows the Person in Georgia." Georgia ADAPT is also working with other disability rights advocates to address the shortage of affordable, accessible, integrated housing. Mitchell said, "We are collaborating with People First of Georgia to sponsor a Housing Conference in April."



Georgia ADAPT continues to meet with the Region 4 HHS OCR Staff to work on better *Olmstead* compliance. Mitchell relates, "We are doing follow-up talks with HHS and are very hopeful."

Since an initial enthusiastic response from CNN, ADAPT hasn't heard much from them lately. Stay tuned for more ADAPT-style grassroots advocacy on this issue. CNN promised us some serious coverage on their network and we will hold them to their promise.

The October ADAPT Action in Atlanta has invigorated grassroots disability rights advocacy in Georgia. Mitchell notes, "National ADAPT's coming to Atlanta energized the state-wide disability community and opened doors that had been closed to us in the past. We are excited about the closing of a ward at a state institution here in Georgia. I can't help but think of a chant from the action that says, 'GET US OUT, KEEP US OUT, DON'T PUT US IN.'"

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There's no place like home for the Holidays

During the month of December 2009 over 400 ADAPT members signed an online thank you card we sent to our champion of disability rights in the US Senate, Tom Harkin, who had recently celebrated his 70th birthday on November 19, 2009. The card read:

Dear Senator Harkin:

We send our sincere thanks to you for all your hard work toward ending the institutional bias in our nation's system of long-term services and supports as part of the Senate's Healthcare Reform legislation.

**FREE OUR PEOPLE!
The ADAPT Community**

Later in the month ADAPT members sent holiday cards to their Senators and Representatives to remind them that ending the institutional bias must be a part of health care reform. ([view the Home for the Holidays Card](#))

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Freedom Day: ADAPT calls on HHS to work with us on *Olmstead* Compliance

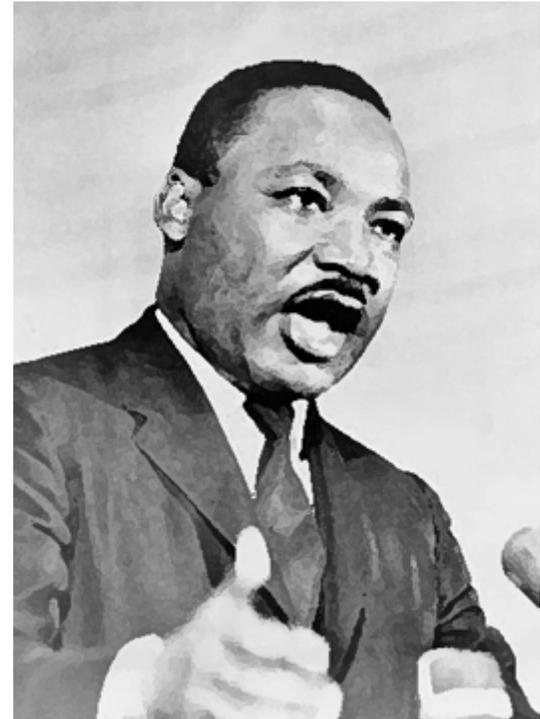
Each January just before the Martin Luther King Holiday ADAPT holds the annual Freedom Day Action. On January 15, 2010 ADAPT chapters across the country made simultaneous visits to the HHS office in Washington DC and most of the regional HHS offices. ADAPTERs who couldn't visit HHS office in person flooded them with faxes and emails.

ADAPT demanded that the Health and Human Services Office of Civil Rights:

1. Develop specific benchmarks/criteria for assessing state compliance with the *Olmstead* decision, assess the states and publicly release this assessment on an annual basis;
2. Set up a meeting between Georgina Verdugo, the HHS/OCR Director, and 15 ADAPT representatives at a mutually agreeable time within the next three months;
3. Work with the Department of Justice to develop most integrated setting criteria for determining when DOJ will step in and affirmatively enforce the *Olmstead* decision;

4. Develop with CMS state guidance on the Olmstead decision that requires states Medicaid programs to comply with the most integrated setting requirement of the ADA.
5. Work with local ADAPT chapters to investigate individual and systemic complaints about states failure to comply with Olmstead decision, conducting compliance reviews of states for compliance with the Olmstead decision, and providing technical assistance to states to help them understand how they can voluntarily comply with the law; and
6. Add language to the front page of the HHS website and the OCR front page highlighting that people with disabilities (and seniors) have the civil right under the Olmstead decision to live in the most integrated setting.

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Defending Our Freedom: ADAPT's Call to Action for Home and Community in America

In February 2010 ADAPT kicked-off their Defending our Freedom Campaign. 2010 marks the 20th Anniversary of the signing of the Americans with Disabilities Act, but the disability community is not busy celebrating because we are literally in a fight for our lives and our most basic freedoms.

States are responding to budget shortfalls brought on by the current economic recession with draconian cuts to home and community-based services, forcing seniors and people with disabilities into nursing facilities and other institutional settings because they don't have the services they need to remain independent.

Defending Our Freedom is a three-prong national campaign initiated by ADAPT to organize the disability community to:

- Demand that the Obama administration fulfill its duty to aggressively protect the civil rights of disabled Americans and enforce the Americans with Disabilities Act/Olmstead decision;
- File complaints with the Health and Human Services Office for Civil Rights and the U.S. Department of Justice that document the violation of rights of individuals who have been forced into institutional settings, denied community services, or have had their community services reduced as well as complaints that document the state policies and budget cuts that violate our rights; and
- Document the disability community's efforts to fight back against state cuts so that we can learn from each other's efforts, rally others to join our fight, and hold public officials accountable when they do not support our freedom.

As part of the Campaign, ADAPT will collect personal and state stories about the effects of budget cuts and the efforts to fight back against them. ADAPT has created a website at: <http://www.defendingourfreedom2010.blogspot.com/> where you can post information and pictures of your advocacy. The Defending Our Freedom website will create a public record of the disability community's efforts to stop cuts and help to inspire others across the country to speak up and speak out, too!

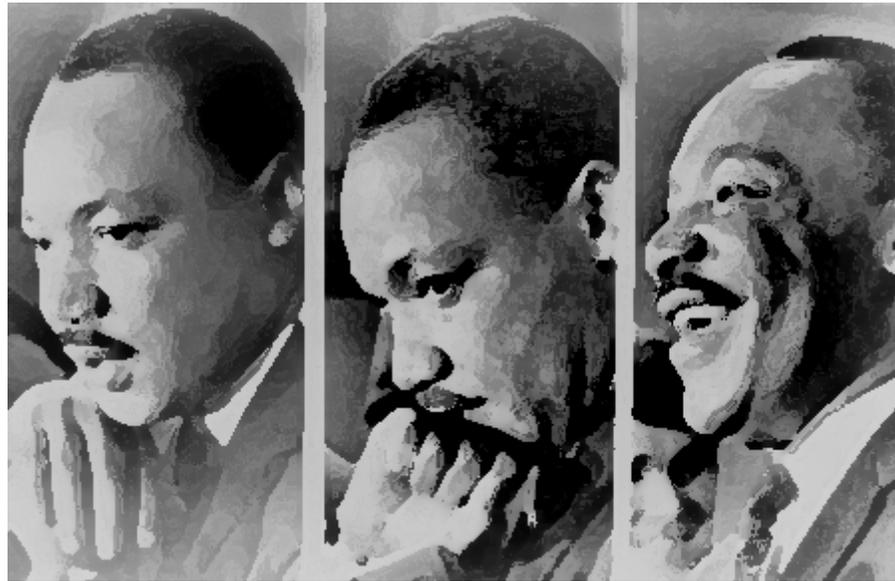
Just after we started our Defending Our Freedom Campaign, the HHS OCR contacted ADAPT and confirmed that they will be meeting with us just prior to the Spring Action in April. Now, we are focusing on filing individual and systems complaints with HHS OCR and DOJ so when we meet, we can hold HHS OCR accountable for resolving these complaints.

Also in February ADAPT attended the Democratic National Committee (DNC) Resolution Committee meeting in Washington, DC. Our four day-long vigil in the pouring rain outside the DNC office finally paid off with the committee voting unanimously to pass a resolution saying "the DNC will encourage and support efforts to vigorously enforce the Supreme Court's Olmstead decision."

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Join ADAPT in Washington DC, April 24-27, 2010!

This Spring while the cherry trees are blooming ADAPT will be marching through the halls of power in our nation's capital to FREE OUR PEOPLE! Come join us for the camaraderie of the annual FUN*RUN for Disability Rights followed by a week of grassroots advocacy in Washington DC, April 24-27, 2010! For more information, contact: bob.adapt@sbcglobal.net.



When people get caught up with that which is right and they are willing to sacrifice for it, there is no stopping point short of victory - Martin Luther King, Jr., I've Been to the Mountaintop Speech, 04/02/68

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SUPPORT ADAPT!

Grab your wheels, your bike, your dog, your kid or your skates. But most important sign up your sponsors, to support Disability Rights while you run with ADAPT. This is not a race. You will run, walk or roll around a 1/4 mile track for an hour and count your laps. We do the rest. We provide T-shirts, food, drinks and lots of music for sponsored participants! All proceeds go to support disability rights.

Date: Sunday, April 25, 2010
Time: 1:00–4:00 p.m.
Location: Upper Senate Park
Constitution and 1st Street,
Washington, D.C.

For more information or to register:
512-442-0252, bob.adapt@sbcglobal.net, www.adaptfunrun.org



The ADA: Rights Worth Fighting For!

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Around the Nation



Chicago ADAPT Fights Home Service Cuts, *by Amber Smock*

As a result of the economic recession and a poor state budget, for several months disability advocates in Illinois have been battling threatened cuts to our vital Home Service Program (HSP). HSP provides critical personal attendants hours to people with disabilities across the state. HSP is a program that belongs to our Department of Rehabilitative Services, a division of our state Department of Human Services. To save about \$12 million, DHS and DRS decided the solution would be to impose caps on personal attendant hours. The proposed caps have been as follows: Meal preparation 30 hours per month, Outside the home 18 hours per month, Laundry - 12 hours per month, Housework - 17 hours a month, Finances - 3 hours per month. For many people, these limits don't make sense.

Last week, on Thursday, October 29, 25 Chicago ADAPTERS gathered for a direct action on DHS. Our demands were to meet with the DHS Secretary, Michelle Saddler, to eliminate the caps, and to resume quarterly meetings with the State government on the planning and implementation of home service programs in the State of Illinois. At 11 am, led by new member Adam Ballard, we rushed past DHS security guards and hit the elevator buttons to go up to the seventh floor. The guards immediately took action to prevent Chicago ADAPTERS who made it into the elevators from going up to the 7th floor. A DHS staffer came down to find out what was going on, and as Chicago ADAPT pulled out our signs and began chanting, Rahnee Patrick and Amber Smock let the staffer know what she wanted. She promised to immediately see if we could get Secretary Saddler. While we waited for her to get the Secretary, our people did an awesome job of chanting "We Want Saddler!" About ten to fifteen police officers arrived on the scene and Mike Ervin went to greet them. The DHS staffer came back with the DRS director's assistant to report that Secretary Saddler and Assistant Secretary Grace Hou were in our state capitol three hours away as the legislature was meeting and could not be reached to meet by phone. Chicago ADAPT caucused and asked to meet with Saddler and Hou as soon as possible in person. The DHS/DRS staff then asked that Rahnee and Amber go up to their office while they got details of when the meeting could be held. Our people then made space for people to use the elevators and lobby, but remained on watch. Rahnee and Amber got an agreement to have 10 Chicago ADAPTERS meet about HSP with Saddler and Hou on Thursday, November 5. This information was shared with our people, at which point we declared a victory and backed off, much to the relief of DHS/DRS, security, and the cops.

Today, November 5, our people went to meet with Hou and Saddler. About six or seven extra folks stayed down in the lobby passing out fliers about our meeting to passers by. Our agenda was to stop the HSP cuts, testify that the cuts are being implemented NOW even though DRS says they are not, discuss long range HSP planning and also discuss the fact that pro-Howe Developmental Center supporters have forced the state legislature to have a hearing on whether Howe's closing has a good process and whether it should be re-opened. Saddler, Howe and DRS director Rob Kilbury were at the meeting. They listened to our concerns

and heard first person testimony from Mark Karner, Susan Aarup and Joe Barrett. DHS said that the cuts are basically on hold and that any implemented cuts are being done by offices who haven't gotten the word about the hold. Affected persons should complain to DRS. DHS agreed to resume quarterly meetings with ADAPT, the next one to be held in January. DHS is very interested in what can be done to advocate for the CFC Option so Illinois can take advantage of it. DHS also encouraged us to be present at the Howe hearing. In general, it was a very productive meeting and all sides were able to air their views, particularly in regards to who was communicating any info about cuts to HSP.

There remains a great deal of stress in the state due to an unbalanced budget and the state's inability to pay up to all its contracts, but from this point on we have established that we will partner as well as we can so no decisions are made about us, without us.

Great job to Chicago ADAPTers, both veterans and newbies! FREE OUR PEOPLE!

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Dessert ADAPT continues their demand for pedestrian access at Cielo Vista Mall, by *Frank Lozano*

El Paso, TX, by storm. On Saturday, 2-20-10, our ordeal began as we staged at a Luby's Restaurant, across the street from our target. As people started arriving, they geared up with posters, ADAPT vests, and propaganda. We began assigning people to each of our four teams.

At around 10:45 a.m., our teams started lining up for our 11am press conference. Two media sources showed up to our press conference, KTSM Channel 9 and KFOX Channel 14. Some of our people spoke with the media. Soon after that, our four teams separated into two groups and lined up on each side of the Luby's drive way, on Hawkins St., facing Cielo Vista Mall. We chanted and raised our posters, making ourselves noticeable to moving traffic and pedestrians around that area. After a couple of minutes of being on the sidewalk, we proceeded to cross the street to the mall driveway entrance.

Once we reached the mall entrance, we took over the street. We lined up, blocking traffic, holding posters and banners up, and shouting our lungs out. After a couple of minutes of taking and holding that mall entrance, two of our ADAPTers in wheelchairs went in front of line, threw themselves out of their chairs, and covered themselves in fake blood. It was a tense and dangerous situation as cars passed inches from where they were at.

Our chanting continued as mall officials and the El Paso Police approached the scene. After speaking with Frank Lozano, the police allowed us to continue our theater for a little longer. Quite upset and not being able to do much, the mall managers and her six security guards, stood to the side as we continued our demonstration. Such was the commotion, that one of the candidates running for Texas Senator, Jose Rodriguez, actually showed up and gave us his support. We continued chanting for several minutes as our theater attracted more and more attention.

We decided to conclude that part of our action. The two people that were laying on the ground dragged themselves from the ground onto their wheelchairs. When we were all lined up again, we marched from the mall entrance to the parking lot. Needless to say, never have we been safer in that street than that day. Security and police were keeping an eye on us for OUR SAFETY. As we regrouped in the middle of the parking lot, we decided that we would make some time and see if the police and security would leave. Sure enough, security and the police left and that gave way to the second part of our action. We took our posters off, but kept the blood on the two people that had done the theater. We geared up with plenty of flyers and headed to the mall food court. When we were done eating, one group at a time went to different ends of the mall, both lower and upper levels, and started flyering the customers. Some of our people were caught, and got the flyers taken away from them. Luckily, they had other flyers hidden. It was astounding the number of people that supported us. We even actually had two people help us out in distributing flyers. As our people finished up, we all headed to the Hooters Restaurant parking lot to debrief. This was a very efficient and fruitful action. We had one new recruit by the end of the day. Simon Properties got the message that WE ARE ADAPT! WE WILL BE BACK! AND THEY BETTER GET USED TO IT. ACCESS IS A CIVIL RIGHT! -FREE OUR PEOPLE-

Editor's Note: Dessert ADAPT is engaged in an ongoing battle with Simon Properties' over their continuing refusal to create an accessible pedestrian pathway at Cielo Vista Mall.

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Josue Rodriguez dramatizes the danger of not providing an accessible path to Cielo Vista Mall.

Kansas ADAPT rallies Topeka to keep the buses rolling, by Kevin Siek



Topekans in Support of Public Transportation, a coalition of transit riders, social services agencies and local businesses, which was organized in large part by Kansas ADAPT, continues to struggle to find long term funding sources to maintain the public transit system in Topeka. To raise the visibility of the issue Kansas ADAPT is working with the coalition to organize a public forum on the future of community transportation on April 13, 2010. We'll use the input we get from the forum to shape future grassroots efforts and influence local decision makers.

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Passages ...ADAPT Family News

Sophia Meredith Sorensen

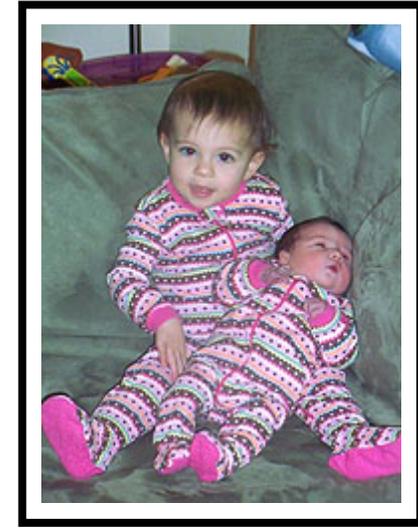
Congratulations to Little John & Sarah Sorensen on the birth of their beautiful baby daughter Sophia Meredith. Sophia is the baby sister of Amelia who will be 2 in June.

Karen Bogdan

SWPA ADAPT has lost a long time soldier. On December 31, 2009 Karen Bogdan died suddenly while visiting her brother in Florida. Karen had been a long time ADAPTER. She participated in many National Actions as well as local. She always answered the call for soldiers to "hit the streets". She will be greatly missed!



*Bob Romero, Tri-County Patriots
for Independent Living*



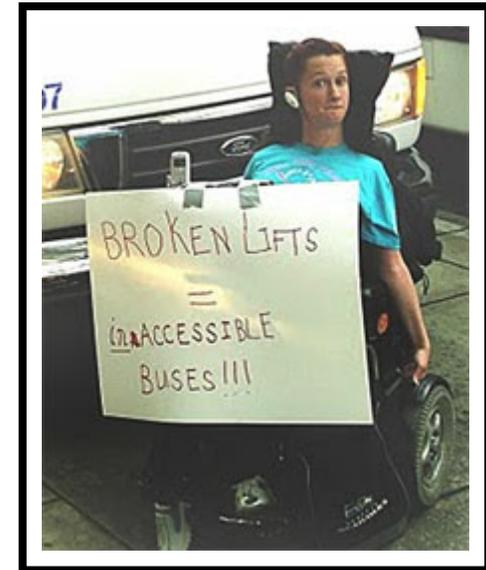
Karin DiNardi

ADAPT has lost a wonderful warrior woman, Karin DiNardi. Philly, and national ADAPT, have a hole in the activism net now. Her work with youth, with women with disabilities and with the disability community as a whole will be greatly missed. Her unique sparkle and the fire in her belly lit the movement. Here is a brief message from Liberty Resources (the CIL she worked with):

The Liberty family and the Independent Living Movement has lost an amazing friend, advocate, and warrior. Karin DiNardi truly embodied everything that LRI stands for, and she made a definite impact in the fight for Independent Living, and on all who had the good fortune of knowing her.

Here is link to a brief slideshow remembering Karin:

<http://picasaweb.google.com/LibertyResourcesInc/KarinDiNardi#>



Andre Gaines

ADAPT of Texas member Andre Gaines passed away October 16, 2009. Andre hailed from Houston and was very active in the disability community there, as well as helping to keep our Houston ADAPT group together

for many years. Due to health issues, she had not been to a national action for some time. Andre felt the issues deeply and her strong belief in community services and integration of people with disabilities fueled her support of these goals. Perhaps her disciplined stemmed from her military background combined with her deep faith. A quiet woman, she was never-the-less a real fighter who stood her ground and was not afraid to fight for what she believed in. Andre and her disability rights activism will be missed!

Stephanie Thomas

Jodi James

Jodi James life was cut short in a car accident on September 5, 2009. She died doing one of the things she enjoyed most - Jodi loved to drive. Jodi lived a full life dedicated to empowering all people to achieve their greatest potential on both a state and national level.

She was the Disability Student Services Coordinator at Purdue Northwest in Indiana, an active member of her church and community, a proud supporter of onecandream.com and member of Indiana ADAPT.

Jodi was not afraid to stand up for what she believed in. Her attempts to stop the corruption and fraud of the Indiana Statewide Independent Living Council (ICOIL) got her slandered and removed from the council, but she continued to fight for a truly empowered disability community in the state of Indiana and our nation up until the day she died. One of her proudest moments was getting arrested at a Chicago ADAPT Action because Jodi James really would have rather gone to jail then to die in a nursing home. Thankfully, Jodi James did not die in a nursing home.

Indiana and the disability community have lost a great advocate. She was a wonderful leader who led by example sometimes at great personal sacrifice. Those who knew Jodi James will not easily forget her. She was loved and will be missed by many.

Ramona Harvey

Lester T. Pritchard

Lester T. Pritchard, one of the Illinois disability rights community's most loved activists, passed away on Monday, October 12. Lester was perhaps best known for advocating to shut down state institutions such as Howe in Illinois, as well as for community choice through the group he co-founded with his wife Barb, the Campaign for Real Choice. He also strongly supported the leadership development of young people with disabilities. Lester was a strong ADAPT supporter. Although they lived downstate from Chicago, he and Barb



worked with us on many occasions, including the 2007 Chicago National Action. He was VERY proud of the work we all did to kick the state government's butt to close Howe. Chicago ADAPT is deeply saddened to lose our great friend and comrade for justice, but we know that Lester will remain with us as we continue our struggle to free our people.

To read more about Lester, please see <http://www.chicagotribune.com/news/chi-obit-pritchard-15-oct15,0,3668892.story>

John T. (Tommy) Rafferty

Our sadness today is deep because we just learned that Tom "Riff Raff" Rafferty, a great original Chicago ADAPTer, has died. Tom's legacy lives on in the form of Larry Biondi, whom Tom brought into Chicago ADAPT.

Tom was featured in the bus boarding video we showed at the July fundraiser. Tom sometimes communicated by pointing to letters and phrases on his alphabet board. One of the frequently-used phrases on his board was "Please bring me a Southern Comfort Manhattan."

Please lift a glass in honor of Tom's great spirit!

Rahnee Patrick

Judy Savage

Former Chicago ADAPTer Judy Savage has died. She was living in a nursing home in North Carolina.

Judy was our Chicago treasurer for many years. She was one of the rowdy bunch who lived at 754 W Belden, where we plotted early ADAPT stuff. She went on many national trips and got arrested in Montreal and other places.

Chicago ADAPT is deeply indebted to Judy. Please offer up a big toast to her spirit, her creative energy and her wonderful stubbornness.

Rahnee Patrick

JT Templeton



After a month in the hospital battling various health issues and numerous attempts to put him in a nursing home, JT finally was able to come home to pass from us in his own bed, with his two dogs and friends by his side. It was where he wanted to be, where he fought to be since being institutionalized as a small child. JT's fight for freedom and self determination was both sad and beautiful, and he taught so many of us so many things about being alive and about our work to FREE OUR PEOPLE!



Bodie Watkins

Bodie Watkins, lifetime prisoner of institutions, and charming participant in the ADAPT in Atlanta March and Rally on Sunday, October 11, 2009, died before he experienced the freedom he so desperately desired and deserved. Thank you to all of you who made it possible for him to have a brief moment of freedom at the ADAPT in Atlanta events - "Free Our Brothers, Free Our Sisters, Free Our People Now!"

Linda Pogue



Pat Weaver

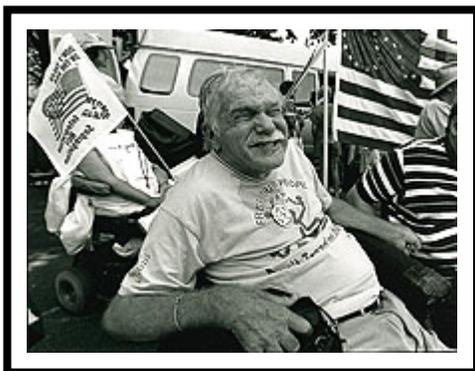
It is with great sadness that I tell the ADAPT family about the passing of one of its members. Pat Weaver, an ADAPT warrior from Erie, PA has passed away.

While Pat had not been to a national action for a while she was always an activist in her soul and believed in freeing her brothers and sisters from nursing homes. She will be missed.

Shona Eakin

Buddy Homiller

It is with great sadness that I share with you the passing of Buddy Charles Homiller. Buddy was the old man with the loud horn, which was great to have at actions. He had been involved with Philly ADAPT since 1988



at the National ADAPT action in front of the Liberty Bell. He was one of the oldest members of ADAPT turning 80 last November. He will be greatly missed.

Nancy Salandra

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